

DOCKET NO.: C1104.70001US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Blackwell et al.  
Serial No.: 09/870418  
Confirmation No.: 8017  
Filed: May 30, 2001  
For: A METHOD AND APPARATUS FOR AUTHORIZING AND  
PLAYING BACK LIGHTING SEQUENCES

Examiner: Sean P. Shechtman  
Art Unit: 2125

**MAIL STOP Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified PTO/SB/08):

At least some of the foreign patent documents indicated on the attached form PTO-1449 were cited in one or more oppositions filed against European Patent No. 1,224,845 B1, which is assigned to the current assignee of the present application (Color Kinetics Inc.).

Applicants also make of record the following two oppositions filed to date against European Patent No. 1,224,845 B1.

- Opposition Brief, August 2, 2006, by Zumtobel Lighting GmbH, opposing European Patent No. 1,224,845 B1, pp. 1-12.
- Opposition Brief, August 2, 2006, by ERCO Leuchten GmbH, opposing European Patent No. 1,224,845 B1, pp. 1-21.

Applicants make no representation that the documents cited herein relating to the European oppositions provide information material to the examination of the present application. Applicants make these documents of record in the present application primarily for completeness to facilitate the Examiner's understanding of the nature of these oppositions. The Examiner is urged to form his or her own conclusion regarding the relevance of the information contained in these documents.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

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Docket No.: C1104.70001US00  
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FORM PTO-1449/A and B (modified PTO/SB/08)				APPLICATION NO.: 09/870418	ATTY. DOCKET NO.: C1104.70001US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: May 30, 2001	CONFIRMATION NO.: 8017
				APPLICANT: Blackwell et al.	
Sheet	1	of	1	GROUP ART UNIT: 2125	EXAMINER: Sean P. Shechtman

#### U.S. PATENT DOCUMENTS

Examiner's Initials *	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		3,898,643		Ettlinger	08/05/1975
		4,947,302		Callahan	08/07/1990
		5,209,560		Taylor et al.	05/11/1993
		5,732,184		Chao et al.	03/24/1998
		5,945,993		Fleischmann	08/31/1999
		6,466,234	B1	Pyle et al.	10/15/2002

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials *	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		DE	4111397	A1		10/15/1992	Yes
		WO	98/52175			11/19/1998	

#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials *	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Multivision, Trax Media Control, <i>Production Partner</i> , August 1997, pp. 82-83, (also 2 unnumbered pages)	Yes
		Dataton Trax Multimedia 3, User's Guide, 1996, 440 pgs.	
		Dataton Trax Tru Multimedia 3.6 Addendum, 1998, 141 pgs.	
		Dorsey et al., Interactive Design of Complex Time-Dependent Lighting, <i>IEEE Computer Graphics and Applications</i> , March, 1995, pp. 26-36.	
		ERCO Lighting Program, 1996/97 Edition, pp. 1-12.	Yes
		Auszug eines Screenprints der Bildschirmanzeige des Systems gemäß D7 unter Verwendung einer Software-Version aus dem Jahre 1998 (1 page)	Yes
		Screenprints der Bildschirmanzeige des Systems D7 unter Verwendung einer Software-Version aus dem Jahre 1995 (3 pages)	Yes
		ein Photo eines Datenträgers der Software-Version von 1995 (1 page)	Yes
		Opposition Brief, August 2, 2006, by Zumtobel Lighting GmbH, opposing European Patent No. 1,224,845 B1, pp. 1-12.	Yes
		Opposition Brief, August 2, 2006, by ERCO Leuchten GmbH, opposing European Patent No. 1,224,845 B1, pp. 1-21	Yes

EXAMINER:	DATE CONSIDERED:
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 12870G163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]